



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, मंगलवार, 6 अगस्त, 2013 / 15 श्रावण, 1935

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-2, 5 अगस्त, 2013

संख्या: एल0एल0आर0-डी0(6)-29/2013-लेज.—हिमाचल प्रदेश की राज्यपाल, भारत के संविधान के अनुच्छेद 213(1) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 02-08-2013 को अनुमोदित हिमाचल प्रदेश (होटल और आवास गृह) विलास-वस्तुएं कर संशोधन अध्यादेश, 2013 (2013 का अध्यादेश

संख्यांक 4) को संविधान के अनुच्छेद 348 (3) के अधीन उसके अंग्रेजी प्राधिकृत पाठ सहित हिमाचल प्रदेश ई-राजपत्र में प्रकाशित करती हैं ।

आदेश द्वारा,
चिराग भानू सिंह,
सचिव (विधि)।

2013 का हिमाचल प्रदेश अध्यादेश संख्यांक 4

हिमाचल प्रदेश (होटल और आवास गृह) विलास-वस्तुएं कर संशोधन अध्यादेश, 2013

भारत गणराज्य के चौसठवें वर्ष में हिमाचल प्रदेश की राज्यपाल द्वारा प्रख्यापित ।

हिमाचल प्रदेश (होटल और आवास गृह) विलास-वस्तुएं कर अधिनियम, 1979 (1979 का अधिनियम संख्यांक 15) का और संशोधन करने के लिए **अध्यादेश** ।

हिमाचल प्रदेश विधान सभा सत्र में नहीं है और हिमाचल प्रदेश की राज्यपाल का समाधान हो गया है कि ऐसी परिस्थितियाँ विद्यमान हैं, जिनके कारण उनके लिए तुरन्त कार्रवाई करना आवश्यक हो गया है;

अतः हिमाचल प्रदेश की राज्यपाल, भारत के संविधान के अनुच्छेद 213 के खण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित अध्यादेश प्रख्यापित करती हैं :—

1. संक्षिप्त नाम.—इस अध्यादेश का संक्षिप्त नाम हिमाचल प्रदेश (होटल और आवास गृह) विलास-वस्तुएं कर संशोधन अध्यादेश, 2013 है ।

2. धारा 5-क का संशोधन.—हिमाचल प्रदेश (होटल और आवास गृह) विलास-वस्तुएं कर अधिनियम, 1979 (जिसे इसमें इसके पश्चात् “मूल अधिनियम” कहा गया है) की धारा 5-क की उप धारा (3) में, “ऐसे नियमों के अनुसार और ऐसी फीस का संदाय करने पर, जो विहित की जाए,” शब्दों और चिन्हों के स्थान पर “विहित रीति में” शब्द रखे जाएंगे ।

3. धारा 6-ड का संशोधन.—मूल अधिनियम की धारा-6-ड में,—

(क) शीर्षक में “जनजातीय और दुर्गम क्षेत्रों” शब्दों के पश्चात् “या पिछड़ी पंचायतों” शब्द अन्तःस्थापित किए जाएंगे;

(ख) उपधारा (1) के स्थान पर निम्नलिखित उपधारा रखी जाएगी, अर्थात्:—

“(1) इस अधिनियम में किसी बात के होते हुए भी, यदि सरकार की यह राय है कि राज्य में जनजातीय या दुर्गम क्षेत्रों या पिछड़ी पंचायतों में पर्यटन को बढ़ावा देने के आशय से ऐसा करना लोकहित में आवश्यक और समीचीन है, तो वह एक स्कीम अधिसूचित कर सकेगी और नए होटलों, जो ऐसे जनजातीय या दुर्गम क्षेत्रों में प्रथम अप्रैल, 2012 के पश्चात् और ऐसी पिछड़ी पंचायतों में प्रथम अप्रैल, 2013 के पश्चात् प्रवर्तन में आए हैं, के रजिस्ट्रीकृत स्वत्वधारियों को होटल के प्रवर्तन में आने की तारीख से दस वर्ष की अवधि के लिए विलास-वस्तु कर का संदाय करने से, ऐसे निर्बन्धनों और शर्तों के अध्याधीन, जैसी उक्त स्कीम में विनिर्दिष्ट की जाए, छूट दे सकेगी ।” और

(ग) उपधारा (2) के पश्चात् आए विद्यमान "स्पष्टीकरण" को "स्पष्टीकरण"—I" के रूप में संख्यांकित किया जाएगा और तत्पश्चात् निम्नलिखित स्पष्टीकरण—II अन्तःस्थापित किया जाएगा, अर्थात्:—

"स्पष्टीकरण—II.—इस धारा के प्रयोजन के लिए पिछड़ी पंचायतों से ऐसी पंचायतें अभिप्रेत हैं, जिन्हें सरकार द्वारा पिछड़ी पंचायतें अधिसूचित किया जाए ।" ।

(उर्मिला सिंह)

राज्यपाल, हिमाचल प्रदेश ।

(चिराग भानू सिंह)

सचिव (विधि),

हिमाचल प्रदेश सरकार ।

शिमला:

तारीख:-----2013

AUTHORITATIVE ENGLISH TEXT

H. P. Ordinance No. 4 of 2013

THE HIMACHAL PRADESH TAX ON LUXURIES (IN HOTELS AND LODGING HOUSES) AMENDMENT ORDINANCE, 2013

Promulgated by the Governor of Himachal Pradesh in the Sixty-fourth Year of the Republic of India.

An Ordinance further to amend the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979 (Act No. 15 of 1979).

WHEREAS, the Legislative Assembly of Himachal Pradesh is not in session and the Governor of Himachal Pradesh is satisfied that the circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Himachal Pradesh is pleased to promulgate the following Ordinance :—

1. Short title.—This Ordinance may be called the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Amendment Ordinance, 2013.

2. Amendment of section 5-A.—In section 5-A of the Himachal Pradesh Tax on Luxuries (in Hotels and Lodging Houses) Act, 1979, (hereinafter referred to as the "principal Act") in sub-section (3), for the words and sign "in accordance with such rules and on payment of such fee, as may be prescribed", the words "in prescribed manner" shall be substituted.

3. Amendment of section 6-E.—In section 6-E of the principal Act,—

- (a) in the heading, after the words "tribal and hard areas", the words "or in backward Panchayats" shall be inserted.;
- (b) for sub-section (1), the following sub-section shall be substituted, namely :—

"(1) Notwithstanding anything contained in this Act, if the Government is of the opinion that in order to promote tourism in the tribal or hard areas or in backward Panchayats in the State, it is necessary and expedient in the public interest so to do, it may notify a scheme and exempt the registered proprietors of new hotels in such tribal or hard areas which came into operation after 1st April, 2012, and in such backward Panchayats which came into operation after 1st April, 2013, from the payment of luxury tax for a period of ten years from the date the hotel commences operation, subject to such restrictions and conditions as may be specified in the said scheme."; and

- (c) the existing explanation appearing after sub-section (2) shall be numbered as "Eplanation-I", and thereafter, the following Explanation-II shall be inserted, namely:—

"Explanation-II.—For the purpose of this section the backward Panchayats means such Panchayats as may be notified as backward Panchayats by the Government.".

URMILA SINGH,
Governor, Himachal Pradesh.

CHIRAG BHANU SINGH,
Secretary (Law),
Government of Himachal Pradesh.

Shimla:

The.....2013.

राज्य निर्वाचन आयोग हिमाचल प्रदेश
STATE ELECTION COMMISSION HIMACHAL PRADESH

मज्झिठा हाऊस, शिमला-171002, Majitha House Shimla-171002 Tel. 0177-2620152, 2620159, 2620154, Fax. 2620152

NOTIFICATION

Shimla, the 5th August, 2013

No. SEC- 16-1/2011-2570-2600.—The State Election Commission in exercise of the powers vested in it under Article 243-K of the Constitution of India, Section 160 of the H.P. Panchayati Raj Act, 1994, read with rule 12 of H. P. Panchayati Raj (Election) Rules, 1994, hereby directs revision of electoral rolls of Panchayati Raj Institutions in the State as under:—

1.	Publication of draft electoral roll	12/08/2013
2.	Period for filing claims and objections	13/08/13 to 22/08/2013
3.	Period for deciding claims & objection	23/08/13 to 29/08/2013

4.	Period for filling appeals	Within seven days from the passing of the orders by the revising authority.
5.	Period for deciding appeals	Within seven days from the filing of appeals.
6.	Final publication of Electoral Rolls.	16/09/2013

The qualifying date for determining whether a person is qualified to be enrolled as an elector in the electoral rolls with reference to which he/she is or is not less than 18 years of age for these bye- elections has already been declared as **first day of January, 2012 (01-01-2013)** vide notification No. SEC.16-1/2011- 1848-65 dated 21/06/2013 issued by the State Election Commission, Himachal Pradesh.

The Claims & Objections shall be received and decided even on holidays. After all the claims and objections received during the period have been decided, the District Election Officer (Panchayat) shall cause the draft electoral roll corrected and finalized in accordance with the order passed by the Revising Authorities.

Any person aggrieved by the orders of Revising Authority may file an appeal against it to the District Election officer (Panchayats) within seven days from the passing of the orders by the Revising Authority. The District Election officer (Panchayats) shall decide the appeals within a week. After all the appeals have been disposed off by the District Election officer, the necessary changes in the electoral shall be carried out through ERMS software.

By order,
State Election Commissioner,
Himachal Pradesh.

हिमाचल प्रदेश विधान सभा सचिवालय शिमला-171004

अधिसूचना

शिमला-4, 01 अगस्त, 2013

संख्या: वि०स०/स्था०/सेवा०नि०/6-30/80.—अध्यक्ष महोदय, हिमाचल प्रदेश विधान सभा सहर्ष आदेश देते हैं कि श्री तारा चन्द, वरिष्ठ निजी सचिव दिनांक 31-12-2013 (अपराह्न) को अधिवर्षिता की आयु पूर्ण होने पर एफ०आर०-56 के उपबन्धों के अन्तर्गत सेवानिवृत्त होंगे ।

आदेश द्वारा,
सचिव,
हि० प्र० विधान सभा ।

FOOD, CIVIL SUPPLIES AND CONSUMER AFFAIRS DEPARTMENT

NOTIFICATION

Shimla-9, the 1st August, 2013

No. FDS-A(3)02/2009.—In exercise of the powers conferred under Section 10 (1) of the National Food Security Ordinance, 2013, the Governor, Himachal Pradesh, is pleased to notify the

Rajiv Gandhi Anna Yojana Guidelines for identification of priority households under National Food Security Ordinance, 2013.

A. Following categories of persons shall be automatically included in the list of Eligible households:

1. All families identified as AAY beneficiaries in the state as per the updated lists approved during the gram sabha meetings on 7th of April 2013.
2. All families, identified as Below poverty line households(BPL) and Additional households for subsidized rations at BPL rates and are not already covered under AAY scheme as per the updated lists approved by the respective gram Panchayats during the gram sabha meetings on 7th of April 2013.
3. Households with any member receiving pensions from Department of Social Justice and Empowerment like Old age pension, widow pension, disabled pension, Lepers pension.
4. Households with a beneficiary under Annapurna Anna Yojana scheme.
5. Tibetans who are being issued PDS permit after proper verification.

In case of a situation, where a household's name figures in more than one category, the name of the household shall be considered once.

B. Inclusion/Exclusion criteria for left out households:

The maximum number of households, which can be included in the list of eligible household in each Gram Panchayat and Urban body, shall be limited to maximum 56.23 % for rural areas and 30.99 % for urban areas. Based on the total number of households, each Local body (Gram Panchayat/Urban body) shall calculate the number of households, which are to be covered in the Eligible household category. In case, in a local body, some households are to be identified for eligible household category even after automatic inclusion of families as per the criteria specified in Para A above, the balance households are to be identified using the following criteria:

1. Inclusion criteria.—The households in a Local body shall be included in the list in the following order of priority :

- (i) Aikal Naris.
- (ii) Orphans, abandoned children and those residing in Ashrams.
- (iii) Household headed by a widow.
- (iv) Household with any member having more than 60% disability duly certified by medical board.
- (v) Households headed by terminally ill person.
- (vi) Households headed by person of sixty years of age or more with no assured means of subsistence or social support.
- (vii) Households headed by a person registered as construction worker under the provisions of the Building and other construction workers (Regulation of employment and conditions of service) Act, 1996.

- (viii) Households who have completed 50 mandays of work under MGNREGA in the year before.

2. Exclusion criteria.—Following households shall be automatically excluded from being Eligible households:

- (i) All the households whose any member is a regular or a contractual employee in any State or Central Government, Boards, Corporations, Autonomous Bodies, Banks, Govt. Sector undertakings and Local bodies shall be excluded.
- (ii) Any household, which is an Income Tax payee household, shall be excluded from the list of Priority Households.
- (iii) All households whose member is a registered contractor shall be excluded.
- (iv) Any household whose any member is drawing pension from any State or Central Government, Boards, Corporations, Autonomous Bodies, Banks, Govt. Sector undertakings and Local bodies.

In case a household falls in both inclusion criteria and exclusion criteria, the exclusion criteria shall prevail and such household shall not be considered for inclusion in the list of Eligible household.

C. Process of selection of households:

1. The selection of the Left out households shall be done by respective Gram Panchayats through their gram sabhas in case of rural areas and by Municipal Corporation/ committee/Nagar Panchayat in case of urban areas.
2. For this purpose a special day shall be fixed for holding meetings after approval of the Rural/ Urban development department.
3. Every Gram sabha/ Urbanbody shall at the start of the meeting inform the number of left out households, which are to be, identified as Eligible households.
4. The Gram sabhas/ urban bodies shall thereafter start including the households in order of priority keeping in view the exclusion criteria till the desired number is arrived at.
5. After identification, the list of identified Eligible Households (AAY and Priority) shall be displayed by the concerned Gram Panchayat/ Urban body on their notice board/ website.
6. Any person aggrieved by the decision of the gram sabha/ Urban body can file an appeal with the concerned SDO (Civil) within a period of 15 days from the date of the meeting of the gram sabha/ Urban body where after no appeal shall lie. The SDO may based on the merits of the case order for inclusion/ exclusion of any family in the eligible household and the list of eligible households shall be modified accordingly by the concerned Panchayat Secretary/Executive officer of the urban body.
7. The process of selection by the local bodies shall be completed within one month of the notification of these guidelines.
8. The final list of Eligible households shall be made available in the respective fair price shop.

D. Issuance of ration cards :

As the process to issue fresh ration cards is likely to take some time, to start with, all the existing ration cards of the families identified as Priority Households shall be stamped as such by the Specified Authority defined under HP Specified Articles (Regulation of Distribution) Order, 2003 or as instructed by the Director (Food, Civil Supplies and Consumer Affairs) for receiving their entitlements.

By order,
Sd/-
Pr. Secretary.

HIGH COURT OF HIMACHAL PRADESH AT SHIMLA- 171 001**CORRIGENDUM**

Shimla, the 5th August, 2013

No. HHC/Estt.7 (35) 2005.—The word Time Scale/Selection grade mentioned in column Nos. 1 to 4 below sanctioned strength of ministerial staff appearing in Notification No.HHC/Estt.7 (35)2005-19602-05 dated 22-7-2013 shall be substituted as under:—

Sl. No.	Nomenclature of the Cadre	Total No. of posts In the Cadre	Existing pay scale
1.	Registrar General	1	₹ 57700-1230-58930-1380-57210-1540- 70290.
2.	Registrar (Inspection, Confidential and Budget)	1	-- do --
3.	Registrar (Judicial & Judges Branch)	1	₹ 51550-1230-58930-1380-63070
4.	Registrar (Vigilance, Finance and Accounts)	1	-- do --
5.	Registrar (Administrati on)-cum-Principal Pvt. Secretary to HCJ)	1	Rs.15600-39100 plus 8400/-Grade Pay + Rs.2500/- Sectt. Pay

For detail of various committees constituted from time to time appearing in the said Notification is now given on the website under the head 'Administrative set up' and Sub-Head 'Judges Committees.'

By order,
Sd/-
Registrar General.